

To: Hestmark, Martin[hestmark.martin@epa.gov]; Stavnes, Sandra[Stavnes.Sandra@epa.gov]
From: Strobel, Philip
Sent: Thur 7/9/2015 6:46:24 PM
Subject: FW: UT HOT TOPICS NEEDED BY NOON THURS. 7/9!

FYI: here are the hot topics from Air for the Administrator

Philip S. Strobel

Director, NEPA Compliance and Review Program

US EPA - Region 8 (EPR-N)

1595 Wynkoop St., Denver, CO 80202

303-312-6704

From: Daly, Carl
Sent: Thursday, July 09, 2015 12:23 PM
To: Russo, Rebecca
Cc: O'Connor, Darcy; Strobel, Philip; Morales, Monica; Rothery, Deirdre; Jackson, Scott; Farris, Laura; Wortman, Eric
Subject: RE: UT HOT TOPICS NEEDED BY NOON THURS. 7/9!

Rebecca

We have four UT hot topics (wood burning, PM2.5, Uinta Basin, and Regional Haze) along with a table of UT specific CPP outreach activities (which I think Eric is supplying to OAR directly as well).

Carl Daly, Director

Air Program

303-312-6416

Issue: Utah Wood Burning**Message:**

- EPA appreciates Utah's efforts in addressing the PM2.5 issues in the state through its wood burning program. In 2014 the UT Division of Air Quality was appropriated a one-time fund of \$500,000 to create a public awareness campaign about the effects of wood burning on air quality and a program to convert wood burning stoves that are registered as a sole source of heat to a natural gas or other clean fuel heating source.
- Recently, EPA funds from a settlement agreement could be marked for a woodstove change-out program and OAQPS wanted confirmation from Utah if they would want to be one of the programs to receive it. Utah signified that they would be interested.

Contact: Carl Daly, Air Program Director, 303-312-6416

Background/Status:

Per direction from Governor Gary Herbert, the Utah Department of Air Quality requested from its Air Quality Board in November 2014, approval to obtain public comment on a proposal to implement a wintertime seasonal solid fuel burning ban within the PM2.5 nonattainment areas (Salt Lake, Box Elder, Cache, Davis, Tooele, Utah, and Weber Counties) in order to help bring these areas into attainment with the PM2.5 air quality standard. The ban would be for the timeframe November 1st – March 15th. Based on public comments during the several hearings held throughout the state, the proposal was not well received by the public and was never finalized.

Issue: Utah PM_{2.5} Moderate State Implementation Plan (SIP)**Message:**

- Utah will not meet the moderate area attainment date of December 31, 2015 for the Salt Lake 5-county area and the Utah County area.
- These areas will be reclassified to "serious" and Utah will be required to submit a "serious" area attainment SIP for the Salt Lake and Utah areas in late 2017/early 2018 and be in attainment by December 2019. This is in addition to the moderate area SIPs that are required.

Contact: Carl Daly, Air Program Director, 303-312-6416

Background/Status:

Utah submitted revised PM2.5 moderate SIPs (to meet Clean Air Act, Subpart 4 requirements) for the Cache County area, Salt Lake 5-county area and Utah county area in December 2014. The revised SIPs do not meet all of the Clean Air Act requirements, such as reasonable further progress, milestones, reasonably available control technology (for the point sources). We will continue to work with UDAQ in 2015 to revise the SIPs, so they are approvable.

Issue: Uinta Basin Ozone and Oil and Gas Development

Message:

- EPA is working with the state of Utah, the Ute Tribe, BLM, and BIA to achieve emission reductions and consistent emission controls to protect air quality and human health with new and existing oil and gas development in the Uinta Basin.

Contacts:

Phil Strobel, NEPA Program Director, 303, 312-6704

Carl Daly, Air Program Director, 303-312-6416

Background/Status:

The Uinta Basin in eastern Utah has been exceeding ozone standards during winter inversions and may be designated an ozone non-attainment area in 2017. Oil and gas development is the primary source of ozone precursors in the Basin. It is estimated that approximately 75% of the oil and gas sources in the Basin are on the Ute Indian Tribe's reservation. There are approximately 10,000 existing oil and gas wells producing in the Basin. EPA has been focused on developing, with Utah, a comprehensive emissions inventory. EPA is also looking at the available regulatory authorities (e.g. NSPS OOOO, tribal minor NSR, and a potential reservation specific FIP) to control emissions from both new and existing oil and gas sources.

BLM, BIA and the State are authorizing thousands of additional oil and gas wells with some additional controls and emission reductions from existing infrastructure. EPA is trying to assure the mitigation provided is sufficient to protect human health for Uinta Basin residents.

Issue: Utah Regional Haze

Message:

• In June 2015, the Governor of UT submitted a revised Regional Haze SIP to EPA. EPA Headquarters and Region 8 are currently working to closely review the SIP. We expect to propose action later this year.

Contact: Carl Daly, Air Program Director, 303-312-6416

Background

• On Dec 14, 2012, EPA partially approved and partially disapproved UT's RH SIP, which was submitted in May 2011.

• EPA's disapproval of Utah's BART determinations for NO_x at several EGUS started a 2-year "clock" for EPA to promulgate a federal plan for the disapproved portions of the state SIP.

• EPA has yet to propose a FIP or approve a SIP and has been sued by WildEarth Guardians, NPCA, and other environmental groups for its failure to do so.

• The June 2015 SIP would require the existing combustion controls at several coal-fired BART-subject EGUs. The SIP is based on an "alternative to BART" and relies on emission reductions (and visibility benefits) from the shutdown of the Carbon power plant, which recently closed for several regulatory/economic reasons. The emissions reductions from the combustion controls in combination with the reductions from the shutdown of Carbon appear to be greater under the alternative than the emission reductions projected from the application of BART.

Issue: CAA Section 111(d) Standards for Existing Power Plants – EPA's Outreach Activities in Utah

Pre-Proposal Outreach

State	EPA 111(d) Outreach Meeting	Date	Notes
Utah	State of Utah Mid-Year Meeting in Salt Lake City, UT	07-31-13	RA attended and discussed general intent of President's Climate Action Plan

Meeting with State Environmental Directors and Agriculture Commissioners	09-26-13	UT Environmental Director and Ag Commissioner Attended (RA attended)
Public listening session	10-30-13	UT Energy Office Attended (RA attended)
Follow-up conference call with State Environmental Directors	11-04-13	UT Environmental Director Attended (RA attended)
Conference call with State Energy Offices and Public Utility Commissions	11-05-13	UT Energy Office and PUC Attended (RA attended)
Conference call with electric utilities that service Region 8 States	12-17-13	PacifiCorp, and UT PUC Attended (RA attended)
Joint R8-R10 meeting with states and electric utilities that service the Pacific NW	01-30-14	UT PUC, and PacifiCorp Attended (RA attended)

Post-Proposal Outreach

State	EPA 111(d) Outreach Meeting	Date	Notes
Utah	Utah Governor's Energy Summit in Salt Lake City, UT	06-04-14	UT State Energy Office, UT PUC, general public participation (RA did not attend)
	R8 State Environmental Directors and Agriculture Commissioners Meeting	06-26-14	UT Environmental Director and Ag Commissioner Attended (RA attended)
	State of Utah 111(d) Conference Call	08-28-14	Utah State Agencies participated (RA did not attend)
	Center for the New Energy Economy Western States Meeting in Salt Lake City, UT	09-23-14	Representatives from Western States including UT (RA did not attend)
	Utah Bar Association – Env., Energy, and Resources, and Law Section's Fall Meeting in Salt Lake City, UT	10-07-14	RA gave 111(d) presentation

Center 1-12-14
for
the
New
Energy
Economy
Western
States
Meeting
in
Denver,

CO Center for the New Energy Economy
Western States Meeting with Western
Utility CEOs in Denver, CO

Representatives
from
Western
States
including
UT

(RA
attended)

11-21-14 Representatives from Western States
and Utilities including UT

(RA attended)

From: Russo, Rebecca
Sent: Wednesday, July 08, 2015 4:37 PM
To: R8 RLT
Subject: UT HOT TOPICS NEEDED BY NOON THURS. 7/9!

Hi all,

My most sincere apologies for this incredibly fast turn-around request. HQ just requested Utah Hot-Topics for the Administrator's visit on Thursday. Please find below what were hot topics back in February and please update/delete and add to as needed.

The deadline for submittal is NOON TOMORROW.

Thanks, and again apologies for the last minute request.

Rebecca

Issue: Utah PM_{2.5} Moderate State Implementation Plan (SIP)

Message:

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Contact: Carl Daly, Air Program Director, 303-312-6416

Background/Status:

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Issue: Tier 3 Fuel

Message:

- EPA will continue to collaborate with Utah on addressing the moderate area SIP requirements for area refineries that intend to produce Tier 3 fuel.

Contact: Carl Daly, Air Program Director, 303-312-6416

Background/Status: Utah is very interested in early adoption of the Tier 3 fuel standards in the Salt Lake 5-county and Utah County PM_{2.5} non-attainment areas. Utah included language in its October 2014 proposed moderate area SIPs for the non-attainment areas that would enable area refineries to make changes in order to produce Tier 3 compliant fuel by obtaining permits for minor modifications. EPA recently released technical amendments to the Tier 3 rule that involve a wide range of corrections and minor adjustments to the regulations for different mobile source categories, but the amendments do not have a significant impact on Utah’s interest in early adoption of Tier 3 fuels.

Issue: Sugar House Park PCE Plume

Message:

- The Region will continue to work with state and local officials to identify contamination sources and possible cleanup options for the residents in this community.

Contact: Johanna Miller, Assessment and Revitalization Program Director, 312-6804

Background/Status: This PCE contaminated groundwater site, located in the Sugar House Park neighborhood of Salt Lake City, has impacted a municipal drinking water well and presents a possible vapor intrusion (VI) threat to nearby residents. While the site is eligible for National Priorities List designation, the concern about vapor intrusion prompted EPA to conduct a VI assessment in November of 2014. The Region is planning to reconvene with state and local officials in March of 2015 to discuss the findings and explore potential cleanup options.

Issue: Mountain Accord Project

Message:

- The EPA NEPA program is prepared to work closely with federal, state and local entities as well as other stakeholders as this project moves forward in the NEPA process.

Contact: Lisa Lloyd, Lead NEPA Reviewer, 303-312-6537

Background/Status: The EPA is supportive of the unprecedented collaboration that resulted in the proposed Blueprint which addresses the future of Utah's Central Wasatch Mountains. The Blueprint includes a network of trails and expansion of transit to and between mountain resorts and may involve private and public land use decisions. We recognize the importance of the Wasatch Mountains as a valuable natural resource and understand that there are potential impacts on this resource from growing population and increasing recreational use. We also understand the complexity of this forward-thinking project that considers transportation, environmental, recreation, and economic concerns and interests.

Issue: West Davis Corridor Highway

Message:

- The EIS timeline and discussions regarding EPA's Draft EIS comment letter on the West Davis highway project are currently on hold while the lead agencies and key stakeholders

explore possible development of a new alternative to address community concerns.

Contact: Phil Strobel, Acting Director NEPA Program, 303-312-6704

Background/Status: This Utah project proposes to construct a new highway in two counties along the eastern shore of the Great Salt Lake (GSL). On September 6, 2013, EPA provided comments on the Draft EIS (Rated EO-2: Environmental Objections-Insufficient Information, based on impacts to aquatic resources, including wetlands within the nationally significant GSL ecosystem). Currently, the Federal Highway Administration, in conjunction with the Utah Department of Transportation and key stakeholders are exploring the development of a new alternative in response to community concerns. The timeline for the Final EIS and Record of Decision is currently on hold until the potential new alternative is finalized and evaluated against project screening criteria.

Note: Because of this sensitivity it is recommended this subject is not brought up, only responded to.

Issue: EPA and the UDEQ referred the Salt Lake County MS4 stormwater case to Department of Justice

Message:

●□□□□□□□□ EPA and UDEQ inspected this facility and found extensive non-compliance. We plan to meet with the County in March.

Contact: Gwen Campbell, NPDES & OPA Enforcement Unit Chief, 303-312-6463

Background: the EPA and UDEQ inspected the Salt Lake County Municipal Separate Storm System (MS4), which controls the unincorporated county's stormwater, as part of EPA's National Municipal Enforcement Initiative. Widespread non-compliance with their MS4 permit was identified. The EPA referred the case to Department of Justice and the UDEQ joined the EPA as plaintiffs. In February 2015, a notice letter was sent to the County by DOJ to inform them of the action and request a meeting. Department of Justice, EPA, UDEQ, and the County are planning to meet March 11 to begin discussions.

Rebecca A. Russo

Region 8 Congressional and Intergovernmental Liaison

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